

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-v.- :

JOSEPH FREEMAN, :

Defendant. :

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USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 08 AUG 2011

UNSEALING ORDER

11 Cr. 567 (PAC)

Upon the annexed Affirmation and Application of the United States Attorney for the Southern District of New York, by Assistant United States Attorney Rachel Maimin, pursuant to the All Writs Act, Title 28, United States Code, Section 1651, requesting that an Order be issued unsealing the Bronx District Attorney's case files and the grand jury testimony and exhibits relating to the April 27, 2011 arrest and investigation by the Bronx District Attorney's Office of JOSEPH FREEMAN to permit the United States Attorney's Office for the Southern District of New York to review these materials,

IT IS HEREBY ORDERED, that the District Attorney's files and the state grand jury testimony and exhibits relating to the arrest and prosecution of JOSEPH FREEMAN on or about April 27, 2011 (Grand Jury # 41927 (2011), A Panel, 5th Term; Arrest # B11635256; Docket # 2011BX023996), be unsealed to permit the United States Attorney's Office for the Southern District of New York to review the contents of these materials and, if necessary,

to disclose any documents contained therein as required by the Federal Rules of Criminal Procedure, Title 18 United States Code, Section 3500, as well as Brady v. Maryland, 373 U.S. 83 (1963), Giglio v. United States, 405 U.S. 150 (1972), and their progeny.

SO ORDERED

Dated: New York, New York
August 8, 2011



HONORABLE PAUL A. CROTTY
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-v.- :

JOSEPH FREEMAN, :

Defendant. :

**AFFIRMATION IN SUPPORT
OF UNSEALING ORDER**

11 Cr. 567 (PAC)

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RACHEL MAIMIN declares pursuant to Title 28, United States Code, Section 1746:

1. I am an Assistant United States Attorney in the Office of Preet Bharara, United States Attorney for the Southern District of New York, and I am one of the Assistant United States Attorneys responsible for the prosecution of JOSEPH FREEMAN for a violation of Title 18, United States Code, Section 922(g)(1).

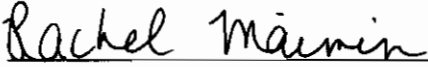
2. I submit this affirmation in support of the application of the United States of America, pursuant to the All Writs Act, Title 28, United States Code, Section 1651, for an order to unseal the Bronx County District Attorney's files and the grand jury testimony relating to FREEMAN's arrest on or about April 27, 2011 (Grand Jury # 41927 (2011), A Panel, 5th Term; Arrest # B11635256; Docket # 2011BXO23996). These materials are believed to contain information relevant to the pending prosecution. The instant application is for the dual purpose of (i) enabling the United States Attorney's Office to review the

requested materials and, and (ii) to comply with the Office's obligations under the Federal Rules of Criminal Procedure and Title 18, United States Code, Section 3500, as well as Brady v. Maryland, 373 U.S. 83 (1963), Giglio v. United States, 405 U.S. 150 (1972), and their progeny.

3. Accordingly, the Government respectfully requests that the Court issue an order directing the unsealing of the Bronx County District Attorney's files and the grand jury testimony and exhibits related to FREEMAN's April 27, 2011 arrest, so that the United States Attorney's Office for the Southern District of New York can review those materials and, if necessary, disclose any documents contained therein under its obligations referenced above.

WHEREFORE, it is respectfully requested that the Court grant this application for an Order unsealing the Bronx County District Attorney's files and the grand jury testimony and exhibits relating to the arrest and investigation of JOSEPH FREEMAN on or about April 27, 2011 (Grand Jury # 41927 (2011), A Panel, 5th Term; Arrest # B11635256; Docket # 2011BXO23996).

Dated: New York, New York
August 5, 2011


RACHEL MAIMIN
Assistant United States Attorney
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